S.B.Cr.Misc. Bail Appli. No.4283/2007
(Satya Narain vs. State of Rajasthan)

Date of order : September 18, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Mridul Jain, for the petitioner.
Mr.Ashok Upadhyaya, P.P. for the State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

It is contended by the learned counsel for the petitioner that the recovery has been effected from the godown of Rakesh Kumar.

Learned Public Prosecutor opposes the bail application and submits that the godown is owned by Rakesh Kumar but it was the present petitioner, who, at the relevant time, was in possession of the godown as tenant. He has shown me the agreement of tenancy placed on police investigation diary, from which prima facie it appears that at the relevant time, it was the present petitioner, who was in possession of godown

as a tenant and a huge quantity of gas cylinders and other articles were found in violation of provisions of Essential Commodities Act. In the circumstances, therefore, in my view, it is not a fit case to grant anticipatory bail to the petitioner.

The bail application filed by the petitioner under section 438 Cr.P.C. is, therefore, dismissed.

(H.R.PANWAR),J.

m.asif/-